

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Cr. No. 05-1849 JH
)	
DANA JARVIS, et al.,)	
)	
Defendants.)	

UNITED STATES' UNOPPOSED MOTION
FOR EXTENSION OF TIME TO RESPOND TO DEFENDANTS'
JOINT MOTION TO SUPPRESS THE FRUIT OF TITLE III WIRETAPS

The United States hereby moves the Court for an extension of time to respond to the defendant's Joint Motion to Suppress the Fruit of Title III Wiretaps (Doc. 1533), and in support of its motion states:

1. Defendants Reid, Wilson, and Hill filed their Joint Motion to Suppress the Fruit of Title III Wiretaps on February 2, 2009 pursuant to the previously-imposed motions deadline. The United States response to that motion is due on March 9, 2009.

2. Because new counsel for defendant Osgood was only recently appointed, Osgood requested a 90 day extension of the deadline for him to file a motion to suppress the wiretaps. The United States did not oppose the request. On February 3, 2009, the Court entered an order continuing Osgood's motions deadline until May 2, 2009.

3. In the joint motion to suppress the wiretaps (Doc. 1533), the defendants request additional time to supplement their motion. Based on a conversation between

undersigned counsel and attorney Walter Nash, who filed the joint motion to suppress the wiretaps on behalf of the attorneys for the co-defendants, it is apparent that any motion to suppress the wiretaps filed by Osgood will be supplemental to the joint motion.

4. Judicial economy will be served by addressing all of the issues relating to the wiretaps in a single responsive pleading.

5. The United States therefore requests that it be allowed to file a consolidated response to the defendants' Joint Motion to Suppress the Fruit of Title III Wiretaps and any motion to suppress the wiretaps filed by defendant Osgood at the time its response to defendant Osgood's motion is due.

6. Counsel for the remaining defendants do not oppose the relief requested in this motion.

WHEREFORE, the United States respectfully requests that the Court grant an extension of time to file a consolidated response to the defendant's Joint Motion to Suppress the Fruit of Title III Wiretaps (Doc. 1533) at the time its response to any motion to suppress the wiretaps filed by defendant Osgood is due.

Respectfully submitted,

GREGORY J. FOURATT
United States Attorney

ELECTRONICALLY FILED

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of March, 2009, I filed the foregoing pleading electronically through the CM/ECF system, which is designed to cause counsel of record for the defendants to be served by electronic means.

ELECTRONICALLY FILED

JAMES R.W. BRAUN
Assistant U.S. Attorney